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public good, he is corrupt, and the agreement void, even though, in the actual exercise of his influence against his conscience, he resorts to no unlawful means. Such bargains cannot be enforced in law; and the reason why they cannot be enforced is, not merely because they are made criminal acts by statute, or are opposed to the provisions of the constitution, but because of their own inherent turpitude, because they are corrupt and corrupting, because they are destructive to public virtue and the welfare of the community. In republican governments especially, whatever tends to destroy the purity of the elections should be guarded against with the strictest watchfulness, and pursued with the most prompt condemnation by courts and legislators." G. S. H.

REPORTS OF CASES IN LAW AND EQUITY DETERMINED IN THE SUPREME COURT OF THE STATE OF NEW YORK. By OLIVER L. BARBOUR, LL.D. Vol. 34. Albany: W. C. Little, Law Bookseller, 1862.

The appearance of this volume leads us briefly to describe for the information of our readers residing out of the State of New York, the organization of the Supreme Court, and its method of rendering decisions. The court consists of thirty-three judges, who meet as an entire body once in two years, with the object of establishing and modifying rules of practice. For the purpose of ordinary business, the court is organized by the erection of eight judicial districts, in such a way that arguments in banc are heard before either three or four judges, who are said to hold a *General Term*. The functions of this tribunal are, with a single exception, of an appellate character. Cases appealed from the County and Surrogate Courts are heard here, as well as appeals from certain orders made, and from the judgments rendered in the Supreme Court, either at the Special Terms, or upon verdicts at the Circuit, or upon the reports of referees. The original business of the Court in Law and Equity is transacted before a single judge at Circuit, or at *Special Term*.

This volume of reports contains many interesting and valuable decisions. The reporter has wisely confined himself, as a rule, to the publication of decisions of the court at General Term. There are but three Special Term decisions in the volume, and these may be thought to be of such interest as to warrant an exception in their favor. Cases of this kind should in general be published in the monthly serials. It is to be hoped that the salutary rule thus adopted will be adhered to.

The recent practice, originating in the first judicial district (New York City), of preparing, in most of the cases, brief opinions, is worthy of general imitation. Most of the time spent by judges in composing extended and elaborate opinions would often be far more profitably employed in making

a condensed statement of the reasons for the judgment, and in skilfully distinguishing the case from prior decisions. It may be hoped that the praiseworthy example of the English courts may ultimately be adopted, and those cases only be discussed at length where, on account of the gravity and importance of the question, a full discussion is necessary. The courts ought to assume that the profession is familiar with previous controlling authorities upon the same point, at least when they have been decided in the same State.

The practice of delivering "per curiam" opinions, which seems to be revived in the same district, probably on account of the press of business, is not so praiseworthy. Quite a number of these are reported in this volume. The fact that a particular judge is responsible for the reasons given for a decision, is, to some extent, a guarantee that the subject has been carefully examined. It would seem to be a good general rule that no opinion should be published which has not a voucher for its paternity.

The great variety of subjects discussed in the cases reported, strikingly illustrates the character of the business coming before the New York courts. We have not even space to allude to the principal decisions.

The volume contains in its Appendix eloquent and just tributes, by prominent members of the New York bar, to the memory of Hon. William Kent, son of the late distinguished Chancellor Kent.

Mr. Barbour's experience and skill as a reporter is a guarantee that his portion of the work is well done. We commend the volume to the favorable notice of the profession.

T. W. D.

A TREATISE ON THE SPECIFIC PERFORMANCE OF CONTRACTS, including those of Public Companies. By EDWARD FRY, of Lincoln's Inn, Esq., Barrister-at-Law. SECOND AMERICAN EDITION, with Notes and References to recent English and American Cases. By WM. S. SCHUYLER, Counsellor-at-law. Albany, 1861.

This second American edition of the standard work of Fry is prepared by Mr. Schuyler as his first contribution to the advancement of legal science. The notes of the editor are judicious and comprehensive. The authorities are carefully and extensively examined, and their conclusions appear to be accurately stated. We hope that the encouragement given by the members of the bar to this work may induce the editor to continue in this department of professional labor, in which he promises to be highly successful.

T. W. D.